

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

In re

MARTHA AKERS,

Debtor.

MARTHA AKERS,

Appellant,

v.

JOHN P. FITZPATRICK,

Appellee.

Civil Action No. 18-cv-1323 (DLF)

(Bankruptcy No. 17-10034)

MEMORANDUM OPINION


On June 1, 2018, Martha Akers filed a notice of appeal from bankruptcy case No. 17-10034. Dkt. 1.

On July 3, 2018, the Clerk of Court provided the parties with notice of transmission of the record on appeal. Dkt. 3. In that notice, the Clerk of Court notified appellant Martha Akers that Rule 8018(a) of the Bankruptcy Rules of Civil Procedure required her to serve and file any brief by August 2, 2018, and that failure to do so could result in dismissal on appellee's motion or, after notice, on the Court's own motion. *Id.*

On August 6, 2018, Akers still had not filed a brief, and the Court issued a minute order explaining that Akers had missed her Rule 8018(a) deadline. The Court further explained that, under Rule 8018(a)(4), if an appellant fails to file a brief on time, the district court, "after notice, may dismiss the appeal on its own motion." The Court notified Akers that if she wished to

pursue her appeal, she was required to file a brief on or before August 17, 2018. And it gave notice that failure to do so could result in dismissal of Akers's appeal.

As of September 10, 2018—over one month after the Rule 8018(a) deadline and over two weeks after the additional time provided by this Court—Akers still has not filed a brief. The Court will therefore dismiss her appeal. A separate order consistent with this decision accompanies this memorandum opinion.


DABNEY L. FRIEDRICH
United States District Judge

Date: September 10, 2018